

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PSN ILLINOIS, LLC, an Illinois corporation,)

Plaintiff,)

v.)

Case No. 07 C 7190

ABCAM, INC.; ABGENT, INC.;)

Judge Hibbler

AFFINITY BIOREAGENTS, INC.;)

DISCOVEREX CORPORATION;)

Magistrate Judge Valdez

EXALPHA BIOLOGICALS, INC.;)

GENETEX, INC; LIFESPAN)

BIOSCIENCES, INC; MULTISPAN, INC.;)

and NOVUS BIOLOGICALS, INC.,)

Defendants.)

**DEFENDANT MULTISPAN, INC.'S
MOTION FOR ENLARGEMENT OF TIME**

Defendant, Multispan, Inc. ("Multispan"), by and through its undersigned attorneys, hereby moves this Honorable Court, pursuant to FED R. CIV. P. 6(b), for an enlargement of time in which to answer or otherwise plead to Plaintiff, PSN Illinois, LLC's ("PSN"), Complaint. In support of this Motion, Multispan states as follows:

1. On December 21, 2007, PSN filed this action in an attempt to collect damages against Multispan for alleged patent infringement. PSN effectuated service upon Multispan on February 1, 2008.

2. Since the date it was served with process, Multispan -- through its President and CEO, Helena Mancebo, PhD -- has been engaged in settlement discussions with PSN in an attempted to reach a resolution to the litigation. After attempts to resolve this matter proved to be unsuccessful, however, PSN filed a Motion for Default Judgment (Dkt. No. 24). The Motion for Default Judgment is currently set for hearing before this Court on April 10, 2008 at 9:30 a.m. (Dkt. No. 25.)

3. On April 8, the undersigned attorneys were retained by Multispan to represent its interests in this matter. Along with this Motion, the undersigned attorneys have filed their appearances on behalf of Multispan.

4. On April 8, 2008, the undersigned spoke with Michael Mazza, counsel for PSN, by telephone requesting a thirty (30) day enlargement of time in which to file a responsive pleading to PSN's Complaint. Mr. Mazza was unwilling to agree to Multispan's request, stating that he could only agree to a fourteen (14) day extension. This is simply not enough time for Multispan's counsel to investigate the underlying scientific factual and legal assertions contained in PSN's patent infringement Complaint and prepare an appropriate response.

5. At this early stage of the litigation, an enlargement of time will neither unduly prejudice PSN nor delay the Court's administration of justice in this matter. Multispan seeks until May 8, 2008 in which to file its responsive pleading. Such an enlargement of time is reasonable especially in light of the parties' prior attempts to resolve this matter, combined with the fact that the litigation was recently commenced. Moreover, Multispan is not aware of any currently pending discovery deadlines set in this matter.

6. Should this Court be inclined to grant Multispan's request for an enlargement of time, PSN's Motion for Default Judgment would be rendered moot.

7. By filing the instant motion, Multispan is not waiving any rights or defenses it may raise in the future.

WHEREFORE, Defendant Multispan, Inc. respectfully requests that this Court grant it an enlargement of time up to and including until May 8, 2008 in which to file its responsive pleading in this matter, deny Plaintiff's Motion for Default Judgment as moot, and for such other relief as the Court deems proper and just.

Dated: April 8, 2008

MULTISPAN, INC.

By: /s/ Mitchell J. Edlund
One of its Attorneys

Steven D. Pearson (No. 6190506)
Mitchell J. Edlund (No. 6229190)
MECKLER BULGER & TILSON LLP
123 N. Wacker Drive, Suite 1800
Chicago, IL 60606
(312) 474-7900 - Telephone
(312) 474-7898 - Facsimile

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